

Rakym Durham,	:	United States District Court
Plaintiff,	:	Eastern District of Pennsylvania
vs.	:	
Officer Mouzone #3059, et al.,	:	Civil Division – Civil Rights
Defendants.	:	Case No.: 2:20-cv-03944

**PLAINTIFF’S AMENDED REQUEST FOR A TIME EXTENSION TO CONDUCT
DISCOVERY**

1. Plaintiff requests a time extension for discovery specifically related to identifying the Officers involved in this incident so these individuals may properly be named as Defendants.
2. The discovery period is set to expire September 3, 2021.
3. Plaintiff, while incarcerated, during his deposition, testified the officers he alleged injured him during the booking process were two white officers who fingerprinted then photographed him.
4. The Plaintiff on or about July 20, 2021, sent interrogatories and demands for documents to the Defense regarding the newly added Defendants.
5. Plaintiff in this request specifically asked for the activity logs, assignment sheets, and duty roster.
6. Shortly before receiving the Assignment Sheet, Defense Counsel informed Plaintiff she spoke with current Defendants and discovered both were Black males.
7. On August 26, 2021, the Defense provided the Plaintiff with assignment sheets for the fingerprinting and photographing duties, for the dates August 15, 2019, and August 16, 2019.

8. From the Defendants production of the Assignment Sheet it appears there could be approximately 10 individuals who could have had contact with the Plaintiff.
9. Subsequently, Plaintiff filed a request for a status conference with the Court to inform it of the issues related to the identity of the alleged officers for which on August 27, 2021, a phone conference was held.
10. Plaintiff via Counsel sent a supplemental interrogatory and demand for document request to the Defense on September 1, 2021, specifically related to the Assignment Sheet and the officers listed who were previously unknown.
11. In Plaintiff's interrogatories specific physical bodily feature information requests were made so the list of officers provided on the Assignment Sheets can be culled and the alleged actors more quickly identified.
12. Plaintiff seeks this request not to unduly delay, burden, and/or prejudice the Defense and/or the Court and seeks this extension for the sole purpose of identifying the alleged actors who Plaintiff claims injured him during the booking process.
13. Moreover, as the statute of limitations has passed, the Plaintiff would be irreparably harmed by not being able to identify these officers via a time extension to conduct discovery specifically based upon the Defense's recently passed Assignment Sheets, identifying the only officers who were handling the fingerprinting and photographing intake processes, while Plaintiff was in police custody.
14. Plaintiff has acted with diligence to try and procure the identities for all the law enforcement agents who participated in Plaintiff's fingerprinting and photographing.

15. The substantial bulk of discovery has been completed, including document exchanges by both parties, and the Plaintiff's deposition, in addition to the previously dismissed Defendant, absent the recently transmitted supplemental interrogatories.
16. Further this filing was amended as the "excluding the Assignment Sheet for August 16, 2019, 7a-3p Tour of Duty" was accidentally added to the original filing and was included with the August 26, 2021, disclosure.

WHEREFORE, the Plaintiff requests the Court allow the Discovery Period to be extended.

Respectfully Submitted,
CORNERSTONE LEGAL GROUP

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ATTORNEY FOR PLAINTIFF
September 1, 2021

Rakym Durham,	:	United States District Court
Plaintiff,	:	Eastern District of Pennsylvania
vs.	:	
Officer Mouzone #3059, et al.,	:	Civil Division – Civil Rights
Defendants.	:	Case No.: 2:20-cv-03944

CERTIFICATE OF SERVICE

I hereby certify that I am on this day, serving the foregoing Motion upon the persons indicated below via electronic mail/delivery service, which satisfies the requirements of the Pennsylvania Rules of Criminal Procedure to:

Meghan Byrnes, Esquire
City Law Department
1515 Arch Street, 14th Floor
Philadelphia, PA 19107

VERIFICATION

The facts set forth in the foregoing Motion are true and correct to the best of the undersigned's knowledge, information and belief and are verified subject to the penalties for unsworn falsification to authorities pursuant to 18 Pa. C.S.A. § 4904.

Respectfully Submitted,
CORNERSTONE LEGAL GROUP

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ATTORNEY FOR PLAINTIFF
Date: September 1, 2021